

**ORDINANCE NO. 2023 - 27**

**AMENDING THE CURRENT ZONING ORDINANCE AND ZONING MAP OF THE CITY OF CULLMAN, ALABAMA, TO RE-ZONE CERTAIN PARCELS OF PROPERTY AS SET FORTH HEREIN**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CULLMAN, ALABAMA, AS FOLLOWS:

SECTION 1. Under the authority of Chapter 52, Articles 1 through 4, Section 11-52-1 through Section 11-52-84, Code of Alabama 1975, as amended, and specifically Sections 11-52-77 and at the request of property owner, the petitioner, the following describe the tract or parcel of land, to-wit:

Property Owner: Mundi L Ergle  
PPIN: 41992. Parcel No.: 17-08-27-1-001-001.000.  
Property Address: Beech Avenue SE.

Legal Description: A tract or parcel of land containing 2.30 acres of land, more or less, and being all that part of the Northeast Quarter of the Northeast Quarter of Section 27, Township 10 South, Range 3 West that is north and east of the L & N Railroad right-of-way and being more particularly described as follows: Commence at a found bar marking the Northeast Corner of said Northeast Quarter of the Northeast Quarter of said Section 27 and run South 89 degrees 58 minutes 17 seconds West and run along the north line a distance of 25.00 feet to a set rebar on the west right-of-way line of Beech Avenue and the point of beginning; thence South 89 degrees 58 minutes 17 seconds West a distance of 340.15 feet to a set rebar on the Northeasterly right-of-way line of L & N Railroad right-of-way and being in a curve to the left having a central angle of 11 degrees 44 minutes 10 seconds a radius of 3141.74 feet and having a chord bearing of South 31 degrees 29 minutes 07 seconds East; thence run along the arc of said curve an arc distance of 643.53 feet to a set rebar on the west right-of-way line of said Beech Avenue; thence North 00 degrees 29 minutes 03 seconds East a distance of 548.01 feet to the point of beginning. Subject to any rights-of-way and/or easements of record.

Source of title: Deed Book 531, Page 748.

According to the survey of Joseph E. Conn, II, AL. Reg. No. 17831 dated the 10th day of October, 2003.

within the city limits of Cullman, Alabama, and lying and being in Cullman County, State of Alabama, designated as M-2 Manufacturing District on the Zoning Map of the City of Cullman, Alabama, under Ordinances No. 2004-03 and as may be reflected in any comprehensive master plan for the City of Cullman, Alabama, be, and is hereby changed from M-2 Manufacturing District to B-2 Business District.

SECTION 2. That this ordinance be published at least once a week for two consecutive weeks in advance of its final passage in a newspaper with general circulation within the City of Cullman, Alabama, the first publication of said notice and ordinance being verbatim and the second publication either verbatim or synopsis, with the last publication being at least 15 days prior to the date set for public hearing and passage of said ordinance.

SECTION 3. That a public hearing be held relative to the passage of this ordinance on the 7<sup>th</sup> day of July, 2023 at noon, at which time interested parties and citizens shall have the opportunity to be heard concerning said ordinance and any changes relating thereto.

SECTION 4. That all notices as required by law be given by the City Clerk concerning said public hearing, and in addition thereto, a certified letter be sent by the Clerk to all contiguous property owners at their last known addresses as shown by the tax records for the City of Cullman, Alabama.

SECTION 5. That upon final passage of this ordinance, all zoning maps, master comprehensive plans or any other documents of the City of Cullman, Alabama, in conflict with this ordinance are hereby changed and amended to reflect the changes and amendments herein.

SECTION 6. Should any part or portion of this ordinance be held invalid, unenforceable or unconstitutional, for whatever reason, by a court of competent jurisdiction, such ruling shall not affect any other part or portion of this Ordinance.

SECTION 7. This ordinance shall take effect and be in force from and after its passage or adoption as required by law, including notice, publication and public hearing, all in accordance with Section 11-52-1, et seq., Code of Alabama 1975, as amended.

ADOPTED BY THE CITY COUNCIL, this the 7th day of July, 2023.

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President of the City Council

ATTEST:

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City Clerk

APPROVED BY THE MAYOR, this the 7th day of July, 2023.

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Mayor